

\*\*\* NOT FOR PUBLICATION \*\*\*

NO. 26212

IN THE SUPREME COURT OF THE STATE OF HAWAII

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ALAN D. MEDEIROS, Plaintiff-Appellant

vs.

AMERON INTERNATIONAL CORP. dba AMERON HAWAII, Defendant-Appellee

and

JOHN DOES 1-5, JANE DOES 1-5, ROE NON-PROFIT ORGANIZATIONS 1-5  
and ROE GOVERNMENTAL ENTITIES 1-5, Defendants

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APPEAL FROM THE FIRST CIRCUIT COURT  
(CIV. NO. 02-1-2980)

ORDER DISMISSING APPEAL

(By: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.)

Upon review of the record, it appears that Civil No. 02-1-2980 sought declaratory relief as to defendant Ameron International Corp.'s lien rights as to third-party proceeds and as to uninsured and underinsured motorist proceeds. The October 10, 2003 judgment, the Honorable Victoria S. Marks, presiding, which purports to be the final judgment in Civil No. 02-1-2980, enters judgment on the June 2, 2003 summary judgment order, but the judgment does not identify the declaratory relief for which summary judgment was entered in favor of plaintiff Medeiros and against defendant Ameron and in favor of defendant Ameron and against plaintiff Medeiros, as required by Jenkins v. Cades Schutte Fleming & Wright, 76 Hawai'i 115, 119-120, 869 P.2d 1334, 1339-39 (1994) (In a multiple claim, multiple party circuit court case, a judgment that purports to be the final judgment is not appealable unless the judgment identifies the claims for which the judgment is entered.). Thus, this appeal is premature and we

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lack jurisdiction. Therefore,

IT IS HEREBY ORDERED that this appeal is dismissed for lack of appellate jurisdiction.

DATED: Honolulu, Hawai'i, February 26, 2004.